

John C. Rhineberger, Treasurer
Roy Carter for Congress
260 Severt Road
PO Box 166, Glendale Springs, NC 28629

Laguna Beach, CA 92651

November 26, 2008

Jeff S. Jordan, Esquire
Supervisory Attorney
Complaints Examination & Legal Administration
Federal Election Commission
999 E Street, NW
Washington, DC 20463

2008 DEC -1 P 3:31
RECEIVED
FEDERAL ELECTION
COMMISSION
OFFICE OF GENERAL
COUNSEL

Re: Complaint against Roy Carter for Congress NC05 for 20 Day/48 Hour Rule

Re: MUR 6130 dated November 6, 2008
Sent November 20, 2008
Received November 22, 2008 NC
Received November 26, 2008 CA
Responded November 27, 2008

Dear Mr. Jordan:

Please find enclosed a detail explanation regarding the charge levied against Roy Carter for Congress and myself. This position of Treasurer has been totally voluntary without compensation. I am working fifty to sixty hours a week as well as helping Roy with his campaign. I am not an experienced person in this arena and do not consider myself an expert, which is no excuse for making errors. I tried to keep current with all the massive amount of rules.

Again, I submit it has never been the intent of this office to be dishonest or intentionally create errors and omissions. I have made every entry with careful and diligent responsibility. There are times with this voluminous paperwork and the location of my office here in California there may be a possibility of an unintentional miscommunication and time lag with documents. To date we have only had one item that was inadvertently overlooked. I do not take this responsibility of Treasurer lightly and spend endless hours of data entry, checks and balances, and several phone calls to our contact, Chris Jones, at the FEC in Washington to be certain we are in total compliance. I thank you for the opportunity to clear up this matter.

First let me say that I am a little red faced about the entries I made on "Form 6 / 48 Hour Notice" for three reasons. The first, since I am afar I receive documents that have been batched, which have dates the instruments were written, but not necessarily mailed out or received by the campaign headquarters. Once mailed, I do not know the exact date they were received by the campaign. Secondly, I then enter them into record using the date that was posted on the check. Reflecting back was not a smart

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thing to do. Therefore I have entered the data using the date on which the contribution instruments were written and not the date the contributions were received.

Please look at three of the checks, not as an excuse, but as a logical explanation.

Checks written on Friday, October 24th were not mailed out until Monday, October 27th, then received or opened via the mail on the October 30th; I received the information faxed on October 30th and filed the report on November 1st.

Upon my return from a trip I had received the batch of five faxed copies of all the checks listed on Form 6 and transmitted the report about 5:00 AM Saturday, November 4th.

Not only was I not here, I am ashamed to admit I was not aware of the 20-day/48 hour rule, I thought I just had to report within 48 hours of the election as I did on prior periods. I am not sure where to go from here. I certainly was not trying to hide anything from anyone.

If it is any consolation none of the money on two of the checks were not banked until 10/29/2008 which I have enclosed the bank statement. (perhaps this will be considered in your decision, I hope) The other three were not banked until 10/30/2008 the same day I received the faxes.

This has been my only mistake on my part, I can only ask for you to forgive my error since the campaign has only about \$25.00 left in the bank. I, at this point, do not have the funds to pay a fine.

I do apologize for causing Ms. Foxx's camp to have to write another letter.

You should not have any more issues with me, as I do not intend to ever do this again after 2008 is closed out.

Thank you.

Respectfully,


John Rhineberger

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